

## Agricultural Marketing Service, USDA

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AUTHORITY: 7 U.S.C. 601-674.

SOURCE: 36 FR 8925, May 15, 1971, unless otherwise noted.

### Subpart—Order Regulating Handing

#### DEFINITIONS

#### § 928.1 Secretary.

*Secretary* means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may thereafter be delegated, to act in his stead.

#### § 928.2 Act.

*Act* means public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (46 Stat. 31, as amended; 7 U.S.C. 601-674).

#### § 928.3 Person.

*Person* means an individual, partnership, corporation, association, or any other business unit.

#### § 928.4 Papayas.

*Papayas* means any and all varieties of papayas grown in the production area.

#### § 928.5 Production area.

*Production area* means the State of Hawaii.

#### § 928.6 Fiscal year.

*Fiscal year* means the 12-month period beginning January 1 of each year, or such other period that may be approved by the Secretary pursuant to a recommendation by the committee: *Provided*, That the initial fiscal year shall begin on the effective date of this part.

#### § 928.7 Committee.

*Committee* means the Papaya Administrative Committee established pursuant to § 928.20.

#### § 928.8 Grower.

*Grower* is synonymous with *producer* and means any person who produces papayas for market, and who has a proprietary interest therein.

#### § 928.9 Handler.

*Handler* is synonymous with *shipper* and means any person (except a common or contract carrier transporting papayas owned by another person) who handles papayas in fresh form or causes papayas to be handled.

#### § 928.10 Handle.

*Handle* or *ship* are synonymous and mean to sell, consign, deliver, or transport papayas or cause papayas to be sold, consigned, delivered, or transported within the production area or between the production area and any point outside thereof: *Provided*, That such term shall not include:

- (a) The sale of papayas on the tree;
- (b) The transportation of papayas from the location where grown to a packinghouse within the production area for the purpose or having such papayas prepared for market; or